

### **REMARKS/DISCUSSION OF ISSUES**

By this Amendment, Applicant supplies a new Abstract. Applicant also: cancels claims 1-2 without disclaimer of the underlying subject matter or prejudice against future prosecution; amends claims 3-9; and adds new claims 10-18. Accordingly, claims 3-18 are pending in the application.

The Examiner is respectfully requested to acknowledge the claim for priority and receipt of the priority document. The Examiner is also respectfully requested to indicate whether the drawings are acceptable.

Applicant acknowledges the indication that claims 3-9 define patentable subject matter, and that these claims would be patentable if rewritten in independent form, including all features of the respective base claims and any intervening claims, and in the case of claims 6-7, to overcome the rejections under 35 U.S.C. § 112.

### **SPECIFICATION**

By this Amendment, Applicant submits a new Abstract. Accordingly, Applicant respectfully submits that the objections to the Abstract are now moot.

Applicant thanks the Examiner for providing information about recommended section headings. However, Applicant respectfully declines to add the headings. Section headings are not statutorily required for filing a non-provisional patent application under 35 USC § 111(a), but per 37 CFR § 1.51(d) are only guidelines that are suggested for applicant's use. (See Miscellaneous Changes in Patent Practice, Response to comments 17 and 18 (Official Gazette, August 13, 1996) [Docket No: 950620162-6014-02] RIN 0651-AA75 ("*Section 1.77 is permissive rather than mandatory. ... [T]he Office will not require any application to comply with the format set forth in 1.77*")).

Accordingly, Applicant respectfully requests that the Examiner withdraw the objection to the Specification.

### **35 U.S.C. § 112**

By this Amendment, Applicant amends claim 6 to correct a minor antecedent

basis issue.

Accordingly, Applicant respectfully request that the rejections of claims 6 and 7 under 35 U.S.C. § 112 be withdrawn.

### **35 U.S.C. § 102**

The Office Action rejects claims 1 and 2 under 35 U.S.C. § 102

By this Amendment, Applicant cancels claims 1-2 without disclaimer of the underlying subject matter or prejudice against future prosecution.

Accordingly Applicant respectfully submits that the rejections under 35 U.S.C. § 102 are now moot.

### **CLAIMS 3-9**

The Examiner indicated that claims 3-9 define patentable subject matter, and would be patentable if rewritten in independent form, including all features of their respective base claims and any intervening claims and in the case of claims 6-7, to overcome the rejections under 35 U.S.C. § 112.

Claims 3-9 have been thus amended.

Accordingly, Applicant respectfully submits that claims 3-9 are all now in condition for allowance.

### **NEW CLAIMS 10-18**

By this Amendment, Applicant adds new claims 10-18. All of the claims 10-18 are drawn to an apparatus that includes a low-pressure mercury vapor discharge lamp having two luminescent portions each radiating in a different color.

The Office Action stated that the low-pressure mercury vapor discharge lamp having two luminescent portions each radiating in a different color was an intended use in the claims 1-9 and therefore was not given patentable weight in those claims. Here, in the new claims 10-19, the low-pressure mercury vapor discharge lamp having two luminescent portions each radiating in a different color has positively been recited in the claimed apparatus, and Applicant respectfully submits that it must be

afforded patentable weight. Meanwhile, Applicant respectfully submits that the cited art does not disclose or suggest an apparatus that includes a combination of a low-pressure mercury vapor discharge lamp having two luminescent portions each radiating in a different color, and the ballast that is further recited in claim 10.

Accordingly, for at least these reasons, Applicant respectfully submits that claims 10-18 are all patentable over the cited art of record.

### **CONCLUSION**

In view of the foregoing explanations, Applicant respectfully requests that the Examiner reconsider and reexamine the present application, allow claims 3-18 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

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